

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

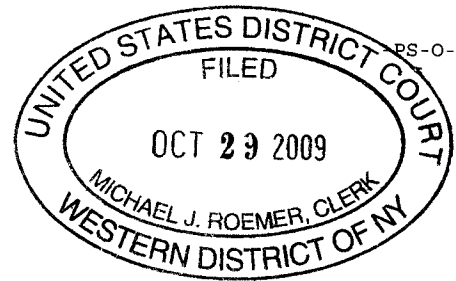
JOSEPH GRAY, 91B1704,

Plaintiff,

-v-

Correctional Officer R. DAVIS,
Corrections Captain M. KEARNEY,
Commissioner Hearing Officer
T. SCHOELLKOPF and Director of
Special Housing DONALD SELSKY,

Defendants.



DECISION AND ORDER
09-CV-6213Fe

The Court hereby requests the assistance of the Assistant Attorney General in Charge of the Rochester Office of the New York State Attorney General in resolving difficulties in accomplishing service in the above matter.

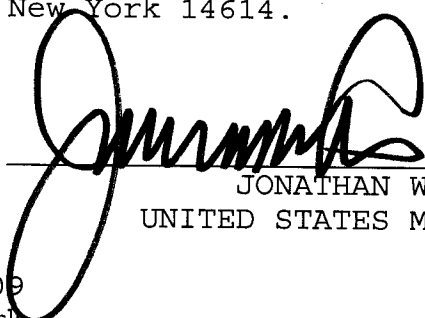
The Marshal's Service mailed service of process to the addresses provided by plaintiff on June 22, 2009. One of the defendants, R. Davis acknowledged service on June 25, 2009, but has not answered the complaint. Defendants Selskey, Kearney and Schoellkopf have not acknowledged service, nor have any of the mailings been returned to the Marshal's Service indicating any problem with the addresses. One of the defendants is Donald Selsky, in the Albany office, raising the concern that not even this attempt at service at the Department of Correctional Services Administrative Office address was successful. The Court would

appreciate any assistance the Attorney General's Office can offer so that impediments to service in this matter are resolved.

The Court requests that the Attorney General ascertain proper addresses for these defendants pursuant to Valentin v. Dinkins, 121 F.3d 72 (2d. Cir. 1997) (per curiam). The Attorney General need not undertake to defend or indemnify these individuals at this juncture. This order merely provides a means by which plaintiff may name and properly serve the defendants as instructed by the Second Circuit in Valentin.

The New York State Attorney General is hereby requested to produce the information specified above by **November 27, 2009**. The Clerk of Court shall send a copy of this Order and the complaint to Debra A. Martin, Esq., Assistant Attorney General in Charge, 144 Exchange Street, Rochester, New York 14614.

IT IS SO ORDERED.



JONATHAN W. FELDMAN
UNITED STATES MAGISTRATE JUDGE

Dated: 10/29, 2009
Rochester, New York